



20181-2:DJL:lmk:142487

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:) Attorney Docket No. 20181-2
)
Egan, Patrick)
)
PRE-FABRICATED WALL PANELING) Group Art Unit 3635

DECLARATION OF DAVE SHEIDLER

I, Dave Sheidler, hereby swear and affirm as follows:

1. I am Project Manager for Heartwood Timber Frames in Swanton, Ohio. Our business is framing buildings, typically houses, with timber frames. As a part of this work, we also frame houses with pre-fabricated wall paneling.

2. In particular, our Company has purchased and used pre-fabricated wall paneling from Thermocore Panel Systems located in Indiana and operated by Mr. Pat Egan. Such panel systems are of the type illustrated in Drawings Figs. 1A-8 and set forth in claims 1-23 attached here as Exhibit A. In particular, those systems that we have purchased and used include ones that have a wall panel thickness, shown as thickness T₄ in attached Drawing Fig. 1C, of 4 inches (hereafter "4" panel").

3. Prior to Pat Egan's Thermocore 4" panel, I had never seen a 4" pre-fabricated wall panel before.

4. I consider the 4" wall panel to be a fabulous invention.

5. The 4" wall panel invention, as compared to previous stick built frame construction and compared to previous conventional wall paneling systems having, for example 4 1/2" or 5 1/2" thickness, leads to significant cost savings to the subcontractor which may be passed on to the homeowner.

6. For example, the 4" panel invention reduces, if not completely eliminates, the need for the costs of carpenters furring the jamb on windows and doors. I estimate this cost saving alone as approximately \$20 per opening, depending on variables. This \$20 per opening estimate includes cost for materials and labor. The amount may be less, but also may be more. For example, I would estimate the cost savings for a typical door is about \$20 per door attributable to the 4" panel invention. A window larger than a door, in my estimation, would result in greater cost savings.

7. Moreover, a window that is located high off the ground would also enjoy greater cost savings due to the 4" panel. For example, under prior systems a carpenter would have to build scaffolding and/or use ladder systems to install the furring for such high elevation window jamb. This required extra time and labor, which means higher costs in construction, to say nothing of safety benefits of not having carpenters operating on scaffolding. The 4" panel eliminates the need for this.

8. In my experience, prior to Pat Egan's 4" panel, the cost of installing extension jambs for doors and windows in the industry was a given --- it was just the way it was without solution.

9. Prior to the 4" paneling, several of our customers, in reviewing cost bids, focused in on the cost of such extension jambs due to wall panel thickness. While the homeowners, and our company, had recognized the cost, in my experience nobody before Pat Egan's 4" panel had recognized his solution. The response to such homeowner was "that is just the cost of a carpenter furring out the jambs, that's just the way it is."

10. Pat Egan's 4" wall panel provided a simple but powerful solution to this problem.

11. Because of these benefits, our company has gone exclusively to Thermocore's 4" panel invention as our standard pre-fabricated wall paneling product.

12. Other than being a satisfied customer, I have no financial interest in Thermocore or its patent application.

13. I, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, declare that the facts set forth in this Declaration are true; all statements made of my own knowledge are true and all statements made on information and belief are believed to be true.

OCTOBER 2, 2001
Date of Signature

By: 
Dave Sheidler

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Attorney Docket No. 20181-2

Egan, Patrick

PRE-FABRICATED WALL PANELING

Group Art Unit 3635

DECLARATION OF RAY MICHAM

I, Ray Micham, hereby swear and affirm as follows:

1. I am the former President of Heartwood Timber Frames in Swanton, Ohio.

Our business was framing buildings, typically houses, with timber frames. As a part of this work, we also framed houses with pre-fabricated wall paneling.

2. In particular, our company purchased and used pre-fabricated wall paneling from Thermocore Panel Systems in Indiana and Mr. Pat Egan. Such panel systems are of the type illustrated in Drawings Figs. 1A-8 and set forth in claims 1-23 attached here as Exhibit A. In particular, I had experience with one house that we built with Thermocore's panel that had a wall panel thickness, shown as thickness T_4 in attached Drawing Fig. 1C, of 4 inches (hereafter "4" panel"). Because of the cost savings and advantages of the 4" panel, I would never go back to the prior approach.

3. Prior to Pat Egan's Thermocore 4" panel, I had never seen a 4" pre-fabricated wall panel before.

4. I consider the 4" wall panel to be not obvious to a person of ordinary skill in this field considering pre-existing technology such as 4 1/2" and 5 1/2" panels.

5. The 4" wall panel invention, as compared to previous stick built frame construction and compared to previous conventional wall paneling systems having, for

example 4 1/2" or 5 1/2" thickness, leads to significant cost savings to the subcontractor which may be passed on to the homeowner.

6. The only downside to the 4" panel is that it has less R-value for insulation. This is outweighed by its benefits.

7. For example, the 4" panel invention reduces, if not completely eliminates, the need for the costs of carpenters furring the jamb on windows and doors. I estimate this cost saving alone as approximately \$20 to \$25 per door.

8. I consider Pat Egan's 4" panel to be very innovative.

9. Other than being a satisfied customer, I have no financial interest in Thermocore or its patent application.

10. I, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, declare that the facts set forth in this Declaration are true; all statements made of my own knowledge are true and all statements made on information and belief are believed to be true.

Sept 22-01
Date of Signature

By: Ray Micham
Ray Micham